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THE SITUATION IN THE MIDDLE EAST

THE SITUATION IN BOSNIA AND HERZEGOVINA

SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Letter dated 11 November 1993 from the Permanent Representative of Australia to the United Nations addressed to the Secretary-General

The 90th Conference of the Inter-Parliamentary Union was held recently in Canberra, the Australian capital city, from 13 to 18 September 1993, at the invitation of the Parliament of Australia. The Conference brought together 421 members of Parliament from 95 countries and the representatives of 24 observer delegations.

During the course of its proceedings, the Conference adopted the following resolutions:

(a) Respect for international humanitarian law and support for humanitarian action in armed conflict;

(b) The health and well-being of the elderly;

(c) External displacement as a consequence of the conflict in Bosnia and Herzegovina and other wars and civil wars;

(d) Support for the Middle East peace process.

I would be grateful if these resolutions could be circulated as a document of the General Assembly, under agenda items 34, 42, 109 and 113.

(Signed) Richard BUTLER AM

ANNEX

90TH CONFERENCE OF THE INTER-PARLIAMENTARY UNION

The 90th Conference of the Inter-Parliamentary Union* was held in Canberra (Australia) from 13 to 18 September 1993, at the invitation of the Parliament of Australia. The Conference brought together 421 members of Parliament from 95 countries and the representatives of 24 observer delegations.

In the course of its proceedings, the Conference adopted the attached resolutions.

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* The Inter-Parliamentary Union's membership was as follows as at 18 September 1993.

Members (125)

Albania, Algeria, Angola, Argentina, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mexico, Moldova, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Senegal, Singapore, Slovak Republic, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Associate Members

Andean Parliament, Latin American Parliament, Parliamentary Assembly of the Council of Europe

ANNEX XVIII

RESPECT FOR INTERNATIONAL HUMANITARIAN LAW AND SUPPORT FOR HUMANITARIAN ACTION IN ARMED CONFLICTS

Resolution adopted without a vote by the 90th Inter-Parliamentary Conference (Canberra, 18 September 1993)

The 90th Inter-Parliamentary Conference,

Considering:

(a) That the events taking place in the theatres of contemporary armed conflict are unacceptable and call for a vigorous reaction on the part of the international community, of which parliaments are one of the main emanations,

(b) That the fundamental principles and rules of international humanitarian law constitute a set of values universally accepted by the international community,

(c) That efforts to implement these principles and rules at the national level are insufficient,

(d) That the fundamental rules of international humanitarian law are as yet unfamiliar to those who have to implement them,

(e) That co-ordination and joint action and approaches by the various participants in international humanitarian aid have not yet made it possible to respond sufficiently rapidly and on the necessary scale for the immense needs engendered by armed conflicts,

(f) That financial and human resources for the protection of the victims of armed conflicts are inadequate,

Deploring that the civilian population is frequently the principal victim of the hostility and violence of armed conflict,

Condemning in particular ethnic cleansing operations, genocide, military aggression against the territory of other States, barbaric military action against civilians, the destruction of their houses and property, the coercion used to force civilians to leave their towns and villages, all acts which certain States commit or fail to prevent, in violation of the principles of international humanitarian law and all international covenants and practices,

Also condemning the renewed outbreak of systematic sexual violence against women and children which constitutes a grave violation of international humanitarian law,

Deploring that the methods and means used in internal armed conflict cause great suffering,

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Recalling the link between action to prevent armed conflicts and action to ensure respect for humanitarian rules in conflicts, especially in the areas of disarmament and human rights,

Reaffirming its conviction that, by preserving a sphere of humanity in the very heart of armed conflict, international humanitarian law keeps open the path towards reconciliation and contributes not only to restoring peace among the belligerents but also to harmony among peoples,

Regretting that international humanitarian law has not yet become universal since at present one third of all States have not acceded to the 1977 Protocols additional to the Geneva Conventions, only 36 States have acceded to the 1980 Convention prohibiting or restricting the use of certain conventional weapons and only 82 States have acceded to the 1954 Convention for the Protection of Cultural Property,

Further regretting that the international relief and protection effort during armed conflicts - both within the framework of competent United Nations institutions and bodies and by the International Committee of the Red Cross (ICRC) and other international and regional humanitarian organizations - is encountering serious difficulties and dangers, including the refusal by one or more parties to a conflict to reach agreement with such organizations, the blockade of humanitarian action, attacks against humanitarian personnel, food supplies and relief, the refusal of parties to the conflict to transport food supplies to the victims or to allow the relief organizations access to prisoners of war and imprisoned civilians,

Deploring the lack of protection for peace-keepers and peace-makers under current humanitarian law,

Deploring the growing number of journalists and other media agents killed, wounded or abducted on the battlefield,

Welcoming the fact that the United Nations has recently reaffirmed the concept of humanitarian assistance, including relief for civilian populations and the idea of establishing security corridors to ensure the free access of this relief to the victims, in addition to protected zones created by decision of the United Nations, failing any initiative by the parties to the conflict and placed under the responsibility of its civilian and military personnel and/or international humanitarian organizations,

Welcoming the adoption in Geneva on 1 September 1993 by the International Conference for the Protection of War Victims of a solemn declaration in which States reaffirm *inter alia* their determination to respect and enforce international humanitarian law,

Welcoming the decision unanimously adopted by the Security Council in May 1993 to establish a tribunal to try war criminals accused of having committed genocide, rape, torture and ethnic cleansing as well as other serious violations of international humanitarian law in the territory of former Yugoslavia,

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Recalling the resolution adopted by the 76th Inter-Parliamentary Conference (Buenos Aires, October 1986) on the contribution of parliaments to the implementation and improvement of international humanitarian law in armed conflicts,

1. Calls on all States which have not yet adopted the following instruments to examine or review without delay the possibility of adopting them rapidly:

(a) The Additional Protocols relating to the protection of victims of international armed conflicts (I) and non-international armed conflicts (II), of 8 June 1977;

(b) The Convention on Prohibitions and Restrictions on the Use of Certain Conventional Weapons which may be deemed to be excessively injurious or to have indiscriminate effects, of 10 October 1980;

(c) The Convention for the Protection of Cultural Property in the event of Armed Conflict, of 14 May 1954;

(d) The United Nations Convention relating to the Status of Refugees, of 28 July 1951 and its Protocol, of 31 January 1967.

2. Also calls on:

(a) States which have adopted Additional Protocol I of 1977 to make the declaration referred to in Article 90 on the general competence of the International Fact-Finding Commission;

(b) Parliaments and governments to ensure the proper application of United Nations resolutions on humanitarian issues and to adopt measures at the national level to implement the rules of international humanitarian law, especially by including in their national legislation dissuasive sanctions to ensure that these rules are not violated and by examining the possibility of creating or reactivating interministerial committees or appointing an office or delegate responsible for following and co-ordinating measures to be taken at the national level;

(c) All States to increase public awareness of and to promote respect for international humanitarian law through education and information programmes;

(d) Governments to promote awareness of international humanitarian law among the armed forces;

(e) All States to remind military commanders that they are required to make their subordinates aware of obligations under international humanitarian law, to make every effort to ensure that no violations are committed and, where necessary, to punish or report any violations to the authorities;

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(f) The International Committee of the Red Cross to assist in preparing for a conference to re-examine the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons so as to study the problems of weapons which blind and mines which mutilate civilians;

(g) All States to take the necessary steps to ensure that persons and property protected by international humanitarian law are marked and identified;

(h) All States to make every effort to protect agents from belligerents as well as common criminals and ensure the immunity which should be guaranteed by the emblems of the Red Cross and Red Crescent;

(i) All States to understand the meaning of humanitarian action so as to avoid hindering it, to ensure rapid and effective relief operations by guaranteeing safe access to the regions affected, to take the necessary measures to strengthen respect for the safety and integrity of humanitarian organizations;

(j) All States to negotiate a separate body of humanitarian law dedicated to the effective protection of peace-keepers and peace-makers;

(k) All States to ensure that journalists engaged in dangerous professional mission in areas of armed conflict benefit from the measures of protection set out in Article 79 of Additional Protocol I of the Geneva Conventions of 1949;

(l) All States engaged in armed conflicts to use the services of the International Fact-Finding Commission to investigate any violation of international humanitarian law, including in internal armed conflicts;

(m) All States to support all the work being carried out or envisaged to strengthen at the international level the means of punishing war crimes;

(n) All States to review procedures on compensation for damages caused to victims of violations of international humanitarian law and the payment of indemnities so as to allow the victims to derive real benefit from the assistance to which they are entitled;

(o) All States to act in co-operation with the United Nations and in conformity with its Charter and in particular its basic principles relating to respect for human rights in all countries with a view to taking all appropriate measures to enforce international humanitarian law;

3. Pays tribute to the action of the International Committee of the Red Cross (ICRC) and the United Nations High Commissioner for Refugees (UNHCR) and other international relief organizations, calls on governments to increase their financial contributions to these organizations, and commends the staff of these organizations for their dedication and courage;

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4. Recommends that the Inter-Parliamentary Council set up a committee to follow the issue of respect for international humanitarian law, particularly the ratification status of the Conventions and Protocols, as well as the implementation of measures at the national level; the committee would report to the Inter-Parliamentary Council at the latter's second session every year, starting in 1994.

ANNEX XIX

THE HEALTH AND WELL-BEING OF THE ELDERLY

Resolution adopted without a vote by the 90th Inter-Parliamentary Conference (Canberra, 18 September 1993)

The 90th Inter-Parliamentary Conference,

Recognizing that ageing is not synonymous with sickness and that old age and death are normal and natural stages of the life-cycle,

Affirming that the rights of the elderly are an integral part of the human rights laid down in many international instruments,

Noting the unprecedented ageing of populations throughout the world, as greater numbers of individuals are reaching an advanced age in better health than ever before, as well as the fact that the elderly population is growing at a rate faster than that of the population as a whole,

Aware that the situation of the elderly differs widely from one country to another and also within one and the same country according to socio-economic conditions, and that each country should therefore diversify programmes implemented within its general policy,

Also aware of the particular plight of elderly people who are refugees and victims of natural and man-made disasters and conflicts,

Recognizing the enormous diversity between older people in developed and less developed countries, between older people in the same country and between urban and rural areas in terms of income, health and opportunities,

Stressing the importance of the criteria and principles established through international co-operation in the field of ageing, particularly within the United Nations framework:

(a) The International Plan of Action on Ageing (1982);

(b) The United Nations Principles for Older Persons (1991);

(c) The global targets on ageing for the year 2001 (1992);

(d) The Proclamation on Ageing (1992),

Welcoming efforts to increase the contribution of the elderly to economic, social and cultural development, and encouraging countries to participate in the Programme of Action on Ageing,

Stressing the contribution that older people make to their families, communities and the world, and convinced that older people have a wealth of

knowledge, wisdom and sound judgement which can greatly benefit oncoming generations,

Deeply concerned that although elderly people are recognized as full citizens, many of them, especially elderly women living alone, are denied access to a healthy and fulfilling later life, and to health care services, employment, housing and social opportunities and adequate incomes,

Stressing that medical treatment and rehabilitation measures should be properly dimensioned and that the elderly should be able to determine independently whether or not they wish to accept certain types of treatment,

Bearing in mind that health care and social work rely to a large extent on human resources and that there should be only limited replacement of human care and assistance with technology,

Noting that the quality of life of the elderly should be improved by providing facilities and services enabling them to enjoy life and be of benefit to themselves, the family and society and to take an active role in development activities, and that such efforts should involve the government, the private sector, the family and society as a whole,

Acknowledging the important role that parliamentarians can play in defining and supervising the implementation of national goals through legislative and political means and at the national and regional parliamentary level,

Calls on all members of the Inter-Parliamentary Union to:

(a) Take account of the implications of demographic change in developing economic and social policy with special emphasis on older people;

(b) Urge States to play a positive role in international initiatives to highlight and improve the position in society of older people;

(c) Welcome the UN Proclamation on Ageing and global targets on ageing as well as national targets on ageing, and urge all States to make regular assessment of progress towards meeting them;

(d) Appeal to all States to adopt the UN Principles for Older Persons;

(e) Welcome the contribution that older people make, and urge all States to remove discrimination which undermines this contribution;

(f) Call for the protection from abuse of older people who are vulnerable through physical disability or mental illness, dementia, poverty, or social isolation;

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(g) Encourage States and international bodies to promote and establish databases and disseminate the findings of research on the implications of ageing for individuals and for populations;

(h) Appeal to governments to give more prominence to civic instruction and to promote solidarity between older and younger generations and the transmission of experience, history and cultural heritage;

(i) Request governments and parliaments to ennoble old age by using the media to sensitize their peoples and create a social environment which gives prominence to senior citizens so that they enjoy well-earned recognition for their many years of service;

(j) Promote improvements in the material conditions of older people and create comprehensive individual retirement plans which are equal for men and women;

(k) Stress the right of individuals to self-determination and choice as to how and where they lead their lives and to participate in the decision-making processes which affect them;

(l) Urge States to promote the provision of appropriate community care services, thereby ensuring a choice between institutional care and care in the home;

(m) Emphasize that ageing is a life-long process, and that healthy lifestyles greatly enhance enjoyment of old age;

(n) Ensure that decision-makers and the public at large regard ageing and declining performance as normal stages in the life-cycle and treat the elderly as an active human resource rather than a homogeneously inactive group;

(o) Encourage older people to seek and take up opportunities to contribute fully to the life of the communities in which they live;

(p) Provide health care to treat, cure and alleviate illness in older people and change the focus in medicine for the elderly from treatment in the last stages of life to prophylactic measures and rehabilitation while seeking new, more human technology for the treatment of the elderly;

(q) Call for the interests of elderly women to be better integrated in the international emancipation policy and for policies and programmes that take into account the economic insecurity of vulnerable groups such as minorities and women;

(r) Encourage volunteering by older people to help others, to benefit the volunteers themselves and to alleviate loneliness.

ANNEX XX

EXTERNAL DISPLACEMENT AS A CONSEQUENCE OF THE CONFLICT IN BOSNIA AND HERZEGOVINA AND OTHER WARS AND CIVIL WARS

Resolution adopted without a vote* by the 90th Inter-Parliamentary Conference (Canberra, 18 September 1993)

The 90th Inter-Parliamentary Conference,

Gravely concerned that armed conflict in Bosnia and Herzegovina and other wars and civil wars are causing disaster for a huge number of people and that the victims are mostly civilians, particularly women, children and the elderly who are forced to flee their homes for safety, and further concerned by massive human rights violations, particularly the ongoing practices of expulsion and displacement in the war zones of Bosnia and Herzegovina and other areas of conflict,

Bearing in mind that external displacement as a consequence of wars and civil wars causes serious political, economic and social instability in neighbouring regions also,

Emphasizing the fact that various international legal instruments qualify displacement, expulsion and deportation of populations as crimes against humanity or war crimes,

Recalling the resolutions adopted by the 89th Inter-Parliamentary Conference on transparency in arms transfer and on the former Yugoslavia,

Aware that minorities or other groups differing from the majority population in terms of their ethnic, religious or cultural backgrounds are often among the first victims of displacement,

1. Urges governments and the world community to take forceful and decisive steps towards achieving peace in areas of conflict, war and civil war;

2. Severely condemns the odious practice known as "ethnic cleansing" in war-torn Bosnia and Herzegovina;

3. Expresses its abhorrence of the continued brutalization of the civilian population - often on ethnic grounds - in these areas and other areas of conflict where systematic terrorizing of civilians regularly precedes their eviction from their ancestral homes;

4. Calls on governments and the United Nations, as appropriate, to develop political and legal safeguards against further deportation and displacement *inter alia* through:

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* The delegation of Viet Nam expressed reservations about operative paragraph 5, and the delegation of Yugoslavia about operative paragraph 4(a).

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(a) Speedy implementation of UN Security Council resolutions establishing an international tribunal of criminal justice for prosecuting persons responsible for serious violations of international humanitarian law in former Yugoslavia, and the implementation of the tribunal's decisions in fulfilment of States' obligations as members of the United Nations;

(b) Unequivocal support for the mandate of the International Law Commission (ILC) to draw up a statute for an international criminal court and for the relevant articles of the Draft Code of Crimes against the Peace and Security of Mankind prepared by the ILC;

(c) Elaboration of a convention against expulsion and displacement of populations complementary to the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide, effectively banning such displacements and making them punishable under international law;

5. Supports the recommendation of the UN World Conference on Human Rights (Vienna, June 1993) to the UN General Assembly to begin, as a matter of priority, consideration of the question of the establishment of a High Commissioner for Human Rights;

6. Appeals to all States which have not yet done so to ratify all relevant conventions and protocols relating to the expulsion and displacement of populations caused by wars and civil wars, in particular the relevant Geneva Conventions of 1949, their Additional Protocols of 1977 and the Convention against Genocide;

7. Urges Governments to support and fully co-operate with the United Nations High Commissioner for Refugees (UNHCR) in order to effectively improve the treatment of the victims of conflicts, wars and civil wars;

8. Calls on all parliaments to urge their respective governments to continue to facilitate the work of the International Committee of the Red Cross (ICRC) and to allow that body to fulfil its humanitarian mission;

9. Urges the governments of the countries of origin of refugees and other displaced persons to adopt effective economic, political and social measures to encourage the repatriation of such persons, and appeals to the international community to help and promote the execution of such measures with due regard for the UNHCR principles covering such activities;

10. Appeals to all governments to grant refuge to the victims of expulsion and displacement, exert all possible efforts to make their repatriation feasible by applying UN resolutions concerning this problem in the different conflicts throughout the world, and assist the UN and other bodies in providing them with dignified living conditions.

SUPPORT FOR THE MIDDLE EAST PEACE PROCESS

Declaration adopted without a vote* by the 90th Inter-Parliamentary Conference (Canberra, 14 September 1993)

The 90th Inter-Parliamentary Conference,

Recognizing the extraordinary significance of the accords signed in Washington on 13 September 1993 between representatives of the State of Israel and the Palestine Liberation Organization,

1. Expresses its whole-hearted support for these accords;

2. Urges all parties to continue their efforts and initiatives to seek a full, just and lasting peace for all the peoples in the Middle East.

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* The delegations of Iran (Islamic Republic of), Kuwait and Yemen expressed certain reservations.